

REMARKS

Currently claims 1-3, 5-13, 15-20 and 22-25 are pending in the application. By this Amendment, independent claims 1, 8, 19 and 24 have been amended. No new claims have been added and no claims have been cancelled. Applicants respectfully request reconsideration of the outstanding rejection in view of the above amendments filed concurrently with the Request for Continued Examination.

I. Claim Rejections – 35 U.S.C. § 112

Claims 1, 3, 5-13, 15-20 and 22-25 are rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Specifically, the Examiner had previously alleged that the Specification lacked support for “framework being related to a data-level to an application-level relationship,” as recited in claims 1, 8, 19 and 24. In addition, the Examiner had previously alleged that the Specification lacked support for “shrinking” and “after the creating an instance that associates the same data type between the data-level and the application-level”, as recited in claims 1, 8 and 19.

Applicants’ amendments to claims 1, 8, 19 and 24 obviate the rejections under § 112, first paragraph, by providing clearer recitation of the claimed invention. Support for the amendment to the independent claims may be found throughout the Specification as originally filed, and for example, within paragraphs 10, 11 and 12 of the Specification.

Specifically, in paragraph 10, the Specification expressly describes a single framework implementation may be made to look different by: (1) redefining the attributes specified in the cascading style sheet; and/or (2) inserting different content modules and/or different navigation modules into the framework containers. Therefore, Applicants respectfully assert that clear support and description is found within the Specification and appropriately supports the amendment to the independent claims.

With regards to the second assertion that the Specification lacks support for “shrinking” after creating an instance that associates the same data type between a data-level and an application-level event, Applicants respectfully submit that the Specification as originally filed has numerous instances of sufficient support for this particular recitation that includes paragraph

11, on page 3, that expressly recites “each framework container may have a unique ID; and the containers may expand or shrink to fit the module(s) that are inserted into the containers and/or the style(s) that are applied to the containers. If no module is inserted into a container, the container may: (1) shrink thereby effectively not appearing to be on the rendered page, or (2) be rendered on the page for visual reasons.” Accordingly, Applicants believe that the rejection of the instant claims based on § 112, first paragraph, should be withdrawn based upon the above assertions and amendments. Applicants respectfully request the withdrawal of the rejection of the pending claims based upon § 112, first paragraph.

II. Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 1-3, 5-13, 15-20, 22, 23 and 26 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0056026 A1 to Anuff et al. (hereinafter “Anuff”) and U.S. Patent Publication No. 2002/0089546 A1 to Kanevsky et al. (hereinafter “Kanevsky”), and further in view of U.S. Patent Publication No. 2005/0005243 A1 to Olander et al. (hereinafter “Olander”); and rejects claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Anuff and Olander. These rejections are respectfully traversed.

With regards to the independent claims, as set forth above, Applicants respectfully assert that none of the references, either alone or in combination, render at least independent claim 1 obvious.

This is to say that Applicants respectfully assert that despite the combination of the three references, not one of the three references mention a specific “framework supporting the simplified implementation, the framework being visually modified by formatting attributes and content including, a plurality of framework containers forming the framework each defining at least one of a plurality of formatting attributes at a data-level; the plurality of formatting attributes are activated by the at least one content module to instantiate an application-level relationship of at least one content module that contains content including a plurality of containers configured to accept zero or more modules or containers wherein at least one of the at least one content module and the at least one navigation module are inserted into the plurality of framework containers.”

The Examiner with his primary combination of Anuff, Olander and Kanevsky, has alleged that Kanevsky teaches a system for reformatting the graphical user interface (see paragraph 5), and further teaches sizing the containers, that were already created for display based on the content inserted into the container. See, paragraph 10, Kanevsky. The Examiner also alleges that based on Kanevsky, it would have been obvious that a window with no content would disappear. However the system in Kanevsky discusses "content" for a text file, for example. Such that the system will expand or contract a file size to the required size for the amount of text. Even if these features of Kanevsky were applicable to claimed invention, which Applicants firmly believe they are not, Kanevsky may suggest that a text file may expand or contract. However, Kanevsky also suggests that an empty file (one without text) will not disappear but will remain in a *transparent mode*. See, Kanevsky, paragraph 28. Applicants respectfully assert that a transparent window, remains active, and has not disappeared. Windows are by their nature transparent, but a transparent window is still a window – and not the absence of a window.

The instant invention focuses upon content that is unformatted and a framework of containers relating to a data-level assembly of containers, driven by a computing device to create the resultant framework. With the addition of content, the instant invention supports the implementation of a particular user interface, according to formatting the content and displaying at least a portion of the framework after at least one content module is inserted into the plurality of framework containers. Therefore, Applicants respectfully assert that the assertion of Kanevsky in combination with Anuff and Olander, fails to disclose the instant claimed invention and has failed to meet to the burden under a *prima facie* case of rejection.

Accordingly, Applicants respectfully assert that Kanevsky, either alone or in combination with Anuff and Olander fails render claim 1, for example, obvious.

Applicants respectfully assert that the rejection of claims 1-3, 5-13, 15-20, 22, 23 and 26 is improper, and must be withdrawn.

With regards to independent claims 8 and 19, and similarly 24, which is addressed separately below, these claims are similarly patentably distinct over the asserted combination under § 103 for at least the same basis asserted above with regards to independent claim 1.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claims 1-3, 5-13, 15-20, 22, 23 and 26 under the asserted combination of Anuff, Kanevsky and Olander under § 103.

With regards to claim 24, Applicants respectfully assert that claim 24 is patentably distinct over the asserted combination of Anuff and Olander.

Specifically, the Examiner has based his specific application of Olander upon its asserted teaching of customization of web pages and their corresponding links (see paragraphs 25, 20 and 32), as stated on page 18 of the October 21, 2008 final rejection.

A difference with the so-called framework in Olander, which recites a framework where controls (tables) serve as containers for other controls, is different than the particular framework and container arrangement of the instant invention. The particular control of Olander operates as an index or a portal. This control is loosely associated with the existent graphical element in particular web applications. See Oleander, paragraph 22, lines 1-6. In the instant invention, the particular containers are the elements which form the framework to support a particular simplified implementation of an adaptable user interface, the framework being visually modified by formatting attributes and/or content.

Additionally in the instant claimed invention, the particular containers, are designed to accept unformatted content, and also configured to accept zero or more modules or containers as would occur at a data-level object instantiation.

Therefore, Applicants respectfully assert that the asserted combination of Anuff and Olander, under § 103 does not render the instant claimed invention, as recited in independent claim 24, obvious. Applicants respectfully request the withdrawal of the rejection of claim 24 under the asserted combination of Anuff and Olander under § 103.

III. Conclusion

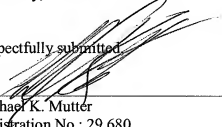
In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William D. Titcomb Reg. No. 46,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: July 20, 2009

Respectfully submitted,

By 
Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant